

HOUSE BILL NO. 153

INTRODUCED BY R. LENHART

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A PERSON APPLYING FOR MOTOR VEHICLE REGISTRATION PRESENT A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; AND AMENDING SECTIONS 61-3-303, 61-3-456, AND 61-3-535, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-3-303, MCA, is amended to read:

"61-3-303. Application for registration. (1) Each owner of a motor vehicle operated or driven upon the public highways of this state shall for each motor vehicle owned, except as otherwise provided in this section, file in the office of the county treasurer in the county where the owner permanently resides at the time of making the application or, if the vehicle is owned by a corporation or used primarily for commercial purposes, in the taxing jurisdiction of the county where the vehicle is permanently assigned an application for registration or reregistration on a form prescribed by the department. The application must contain:

(a) the name and address of the owner, giving the county, school district, and town or city within whose corporate limits the motor vehicle is taxable, if taxable, or within whose corporate limits the owner's residence is located if the motor vehicle is not taxable;

(b) the name and address of the holder of any security interest in the motor vehicle;

(c) a description of the motor vehicle, including make, year model, engine or serial number, manufacturer's model or letter, gross weight, declared weight on all trucks for which the manufacturer's rated capacity is 1 ton or less, and type of body and, if a truck, the manufacturer's rated capacity;

(d) the declared weight on all trailers operating intrastate, except travel trailers or trailers and semitrailers registered as provided in 61-3-711 through 61-3-733;

(e) a space in which the person registering the vehicle may indicate the person's desire to donate \$1 or more to promote awareness and education efforts for procurement of organ and tissue donations for anatomical gifts; and

(f) other information that the department may require.

1 (2) A person who files an application for registration or reregistration of a motor vehicle shall upon
2 filing the application present to the county treasurer:

3 (a) a valid Montana driver's license, as required in 61-5-102; and

4 (b) the currently valid insurance card that verifies that the person has obtained the insurance
5 protection that is required in 61-6-301 and that is required to be carried in the motor vehicle pursuant to
6 61-6-302, a certificate of self-insurance issued under 61-6-143, or proof that the person has posted an
7 indemnity bond with the department under 61-6-301.

8 ~~(2)~~(3) A person who files an application for registration or reregistration of a motor vehicle, except
9 of a mobile home or a manufactured home as those terms are defined in 15-1-101(1), shall upon the filing
10 of the application pay to the county treasurer:

11 (a) the registration fee, as provided in 61-3-311 and 61-3-321 or 61-3-456;

12 (b) except as provided in 61-3-456 or unless it has been previously paid, the motor vehicle fees
13 in lieu of tax or registration fees under 61-3-560 through 61-3-562 imposed against the vehicle for the
14 current year of registration and the immediately previous year; and

15 (c) a donation of \$1 or more if the person has indicated on the application that the person wishes
16 to donate to promote awareness and education efforts for procurement of organ and tissue donations in
17 Montana to favorably impact anatomical gifts.

18 ~~(3)~~(4) The application may not be accepted by the county treasurer unless the payments required
19 by subsection ~~(2)~~ (3) accompany the application. Except as provided in 61-3-560 through 61-3-562, the
20 department may not assess or impose and the county treasurer may not collect taxes or fees for a period
21 other than:

22 (a) the current year; and

23 (b) the immediately previous year if the vehicle was not registered or operated on the highways
24 of the state, regardless of the period of time since the vehicle was previously registered or operated.

25 ~~(4)~~(5) The department may make full and complete investigation of the status of the vehicle. An
26 applicant for registration or reregistration shall submit proof from appropriate records of the proper county
27 at the request of the department.

28 ~~(5)~~(6) Revenue that accrues from the voluntary donation provided in subsection ~~(2)(c)~~ (3)(c) must
29 be forwarded by the respective county treasurer for deposit in the state special revenue fund to the credit
30 of an account established by the department of public health and human services to support activities

1 related to awareness and education efforts for procurement of organ and tissue donations for anatomical
2 gifts."

3

4 **Section 2.** Section 61-3-456, MCA, is amended to read:

5 **"61-3-456. Registration of motor vehicle owned and operated by Montana resident on active**
6 **military duty stationed outside Montana.** (1) As an incentive for military service, an owner of a motor
7 vehicle who is a Montana resident who entered active military duty from Montana and who is stationed
8 outside Montana may file with the department an application for the registration of the motor vehicle. The
9 application must be sworn to before an officer authorized to administer oaths. The application must state:

10 (a) the name and address of the owner;

11 (b) the make, the gross weight, the year and number of the model, and the manufacturer's
12 identification number and serial number of the motor vehicle; and

13 (c) that the vehicle is owned and operated by a Montana resident who meets the qualifications
14 of subsection (1) and is on active military duty and stationed outside Montana.

15 (2) The registration fee for a motor vehicle registered under subsection (1) is as provided in
16 61-3-311 and 61-3-321.

17 (3) A vehicle registered under this section is not subject to:

18 (a) the taxes described in 61-3-303(2)(b);

19 (b) assessment under 15-8-202 or 61-3-503, the fee in lieu of tax under 61-3-529, or the
20 registration fee under 61-3-560 through 61-3-562; or

21 (c) any of the fees provided in part 5 of this chapter.

22 (4) An applicant for registration under this section shall enclose with the application to the
23 department a legible photocopy of the applicant's currently valid:

24 (a) driver's license; and

25 (b) insurance card that verifies that the person has obtained the insurance protection that is
26 required in 61-6-301 and that is required to be carried in the motor vehicle pursuant to 61-6-302, a
27 certificate of self-insurance issued under 61-6-143, or proof that the person has posted an indemnity bond
28 with the department under 61-6-301."

29

30 **Section 3.** Section 61-3-535, MCA, is amended to read:

1 "61-3-535. Vehicle reregistration by mail -- reminder notice and reregistration notice by mail. (1)

2 The department may allow the owner of a motor vehicle to renew the registration of a vehicle by mail
3 when the value, age, length, weight, or other criteria used to determine the tax or fee for a particular type
4 of vehicle is available to the department by electronic means.

5 (2) Any mail reregistration procedure developed by the department must:

6 (a) include a procedure to facilitate automated handling of mail reregistration or recertification; and
7 must

8 (b) provide for a written reminder notice by mail to a vehicle owner of the requirement to reregister
9 the owner's vehicle with the county treasurer or to apply for the annual camper decal; and

10 (c) include reasonable procedures for complying with 61-3-303.

11 (3) The department shall adopt rules to implement the mail reregistration and decal application
12 procedure."

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